

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

CASE NO. 14cr388-MMA

Plaintiff,

vs.

**ORDER REQUIRING  
SUPPLEMENTAL BRIEFING RE:  
DEFENDANTS AZANO AND  
SINGH'S MOTIONS TO SUPPRESS  
WIRETAP EVIDENCE**

JOSE SUSUMO AZANO  
MATSURA, et al.,

Defendants.

In June 2013, a district judge in the Southern District of California authorized the interception of wire communications of two individuals ("target subjects") and electronic communications to and from a single cellular telephone ("target telephone") used by one of the target subjects. After the initial period of interception, the court renewed its authorization for the interception of wire and electronic communications of the previously identified target subjects, additional target subjects, and the target telephone.

Defendants Jose Susumo Azano Matsura ("Azano") and Ravneet Singh ("Singh") have moved to suppress all evidence of wire and electronic communications intercepted over the target telephone, and any derivative evidence, on grounds that the evidence was obtained in violation of the Fourth Amendment and Title III of the Omnibus Crime Control and Safe Streets Act of 1968, 18 U.S.C. §§ 2510-2522. The parties appeared before the Court for a hearing on these and other motions on Friday, July 17, 2015. In anticipation of the hearing, the Court

1 issued a tentative ruling denying both motions to suppress, in part, based on lack of  
2 standing, and otherwise finding the motions moot. *See* Doc. No. 168. After hearing  
3 the oral arguments of counsel, the Court took the motions under submission, subject  
4 to further briefing and/or hearing, if necessary.

5 Upon due consideration, the Court hereby **ORDERS** the parties to submit  
6 supplemental briefing regarding the following issues:

7 1. Whether Azano's motion to suppress is moot based on the  
8 government's representation that it will not introduce as evidence at trial the single  
9 intercepted call to which Azano was a party during the first 30-day period of  
10 interception after the initial wiretap application, nor any derivative evidence;

11 2. Whether Singh's motion to suppress is moot based on the government's  
12 representation that it will not introduce as evidence at trial the two intercepted calls  
13 to which Singh was a party during the second 30-day period following the renewal  
14 of the wiretap application, nor any derivative evidence; and,

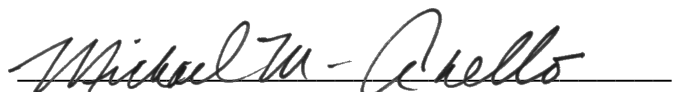
15 3. Whether Singh has standing to seek suppression of the evidence  
16 obtained during the first 30-day period of interception after the initial wiretap  
17 application.

18 The government must address the following additional issue in its brief:  
19 whether any evidence was derived from the three intercepted calls to which Azano  
20 and Singh were parties, and if so, whether the government intends to introduce the  
21 derivative evidence at trial.

22 Each party's supplemental brief must be filed on or before **August 5, 2015**  
23 and may not exceed twenty-five (25) pages in length. After submission of the  
24 supplemental briefs, the Court will determine whether a further hearing on the  
25 motions is necessary.

26 **IT IS SO ORDERED.**

27 DATE: July 21, 2015



HON. MICHAEL M. ANELLO  
United States District Judge